

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- February 15, 1967

Appeal No. 9114          Louis Levy, appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on February 15, 1967.

EFFECTIVE DATE OF ORDER - Dec. 11, 1967

ORDERED:

That the appeal for permission to provide 10 accessory parking spaces, lots 844-847 inclusive, square 1200, at 3258-70 M Street, NW., to serve restaurant located at 3218 M Street, NW, be conditionally granted as amended.

FINDINGS OF FACT:

- (1) The subject parking lot is located in a C-M-2 District.
- (2) The Board inspected the subject property on February 13, 1967 and found that the subject property is now used as a public parking lot. The property was paved and orderly.
- (3) The proposed parking will serve a restaurant located on the first and part of the second floors of 3218 M Street, NW.
- (4) It is proposed to expand the facilities to the entire second floor of the premises thereby requiring additional parking to be provided.
- (5) The proposed parking will be located within the same square as the principal use, however, there is an alley dividing the principal use from the parking area.
- (6) The site of the parking lot is within 800 feet of the principal use. The parking spaces are so located that they will be reasonable convenient for the guests of premises 3218 M Street, NW.

(7) The parking lot will provide ten parking spaces for use by the patrons of the restaurant.

(8) Opposition to the granting of this appeal was registered at the public hearing. The Citizens Association of Georgetown opposed the granting of this appeal.

OPINION:

It is the opinion of the Board that the proposed accessory parking spaces are so located as they are not likely to become objectionable to adjoining or nearby property because of noise, traffic or other objectionable conditions. The parking will be in harmony with the general purpose and intent of the Zoning Regulations and Map and will not tend to affect adversely the use of neighboring property. In addition, the parking is within reasonable proximity to the location of the premises which it will serve.

This Order shall be subject to the following condition:

Appellant shall provide a covenant running with the land that will require these ten (10) off-street parking spaces to be maintained and available so long as any part of premises 3218 M Street, NW is used as a restaurant.

Certificate of Occupancy shall not issue until applicant has complied with the foregoing condition. Further, the Board reserves the right to direct revocation of the occupancy permit upon a proper showing that any terms or conditions of this Order have been violated.